**Privacy Notice (How we use pupil information)**

**Why do we collect and use pupil information?**

**The Legal Basis for Processing Personal Data**

The main reason that the school processes personal data is because it is necessary in order to comply with the schools legal obligations and to enable it to perform tasks carried out in the public interest,

The school may also process personal data if at least one of the following applies:

* in order to protect the vital interests of an individual
* there is explicit consent
* to comply with the school’s legal obligations in the field of employment and social security and social protection law
* for the establishment, exercise or defense of legal claims or whenever courts are acting in their judicial capacity
* for reasons of public interest in the area of public health
* for reasons of substantial public interest, based on law, which is proportionate in the circumstances and which provides measures to safeguard the fundamental rights and the interests of the data subject

We use the pupil data:

* to support pupil learning
* to monitor and report on pupil progress
* to provide appropriate pastoral care
* to assess the quality of our services
* to comply with the law regarding data sharing
* to comply with departmental censuses
* to support our pupils’ welfare
* to process any complaints
* to protect vulnerable individuals
* in the prevention and detection of crime

**The categories of pupil information that we collect, hold and share include:**

         Personal information (such as name, unique pupil number and address)

         Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)

         Attendance information (such as sessions attended, number of absences and absence reasons, behavioural information, details of any exclusion information)

* Assessment information; national curriculum assessment results
* Medical conditions and information - any special educational needs or disabilities as well as relevant medical information
* SEND information
* Exclusion and behavioural information
* Contact information for parents and carers in case of an emergency
* Where pupils go after they leave us

## The lawful basis on which we use this information

We collect and use pupil information under the lawful basis for collecting and using pupil information for general purposes (which includes a basis from Article 6, and from Article 9 where data processed is special category data from the GDPR-from 25 May 2018). For example: the Departmental Censuses under the Education Act 1996 – this information can be found in the census guide documents on the following website: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

**Collecting pupil information**

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

**Photographs**

The School may take photographs, videos or webcam recordings of pupils for official use, monitoring and for educational purposes. You will be made aware that this is happening and the context in which the photograph will be used.

Photographs may also be taken of those attending a ceremony which may appear in the newspaper. You will be made aware that this is happening and the context in which the photograph will be used.

**Retention Periods**

Personal data will not be retained by the school for longer than necessary in relation to the purposes for which they were collected.

Information will be held in accordance with the Information and Records Management Society Tool Kit for Schools: <https://irms.site-ym.com/page/SchoolsToolkit>

**Who do we share pupil information with?**

We routinely share pupil information with:

* our local authority
* the Department for Education (DfE)
* The School Nurse and NHS
* Local Support Team
* Education Welfare Worker
* Schools that a pupil attends after leaving this school
* third-party organisations, as allowed by law
* agencies that provide services on our behalf
* agencies with whom we have a duty to co-operate
* External agencies, ie MASH, Social Workers, EP

**Why we share pupil information**

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

We share pupils’ data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

**Data collection requirements:**

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

**The National Pupil Database (NPD)**

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years’ census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

* conducting research or analysis
* producing statistics
* providing information, advice or guidance

The Department has robust processes in place to ensure that the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

* who is requesting the data
* the purpose for which it is required
* the level and sensitivity of data requested: and
* the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department’s data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

**Requesting access to your personal data**

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child’s educational record, contact the school office.

You also have the right to:

         object to processing of personal data that is likely to cause, or is causing, damage or distress

         prevent processing for the purpose of direct marketing

         object to decisions being taken by automated means

         in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and

         claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner’s Office at <https://ico.org.uk/concerns/>

**Withdrawal of Consent**

The lawful basis upon which the school process personal data is that it is necessary in order to comply with the schools legal obligations and to enable it to perform tasks carried out in the public interest.

Where the school process personal data solely on the basis that you have consented to the processing, you will have the right to withdraw that consent.

**Contact:**

If you would like to discuss anything in this privacy notice, please contact:

* Mrs Susan Buxton Bursar
* Mrs Nicola Oliphant Headteacher

Holy Trinity C E (C) Primary School, Wetmore Road, Burton on Trent DE14 1SN

Or our Data Protection Officer (DPO), which is run by Staffordshire County Council.  To contact them, please email: dpo.schools@staffordshire.gov.uk

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James Hoskins